

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MARK COLSTON and TAMMIE  
JANIS,

Plaintiffs,

v.

ROBERT LIEBECK, STEVE  
LIEBECK, and CHELSEA  
HOMETOWN,

Defendants.

Case No. 15-14314  
Hon. Terrence G. Berg  
Hon. Mona K. Majzoub

**ORDER ACCEPTING AND ADOPTING REPORT AND  
RECOMMENDATION (DKT. 50) AND DENYING DEFENDANTS'  
MOTIONS FOR DEFAULT JUDGMENT AND FOR IMMEDIATE  
CONSIDERATION FOR JURY TRIAL BASED ON DEFAULT JUDGMENT  
(DKTS. 32, 47, and 45)**

This matter is before the Court on Magistrate Judge Mona K. Majzoub's December 7, 2016 report and recommendation (Dkt. 50), recommending that Defendant's outstanding motions (Dkts. 32, 45, and 47) be denied.

The Court has carefully reviewed the Magistrate Judge's report and recommendation, and finds it well reasoned and supported by the relevant law. The law provides that either party may serve and file written objections "[w]ithin fourteen days after being served with a copy" of the report and recommendations. 28 U.S.C. § 636(b)(1). If a party files written objections, the district court will make a "*de novo* determination of those portions of the report . . . to which objection is made." *Id.* As of this date, no party filed any objections to the report and recommendation,

and the time to do so has now expired, meaning the district court is not obligated to review the record independently. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will therefore accept the Magistrate Judge's report and recommendation of September 28, 2016, as this Court's findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Magistrate Judge Majzoub's Report and Recommendation of September 28, 2016 (Dkt. 50) is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that Defendant's motions (Dkts. 32, 45, and 47) are **DENIED**.

**SO ORDERED.**

Dated: December 29, 2016

s/Terrence G. Berg  
TERRENCE G. BERG  
UNITED STATES DISTRICT JUDGE

#### **Certificate of Service**

I hereby certify that this Order was electronically submitted on December 29, 2016, using the CM/ECF system, which will send notification to all parties.

s/A. Chubb  
Case Manager